

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LAWRENCE JOHN SKILLEN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 12-707
)	Chief Judge Gary L. Lancaster/Chief
CAROLYN W. COLVIN, ACTING)	Magistrate Judge Lisa Pupo Lenihan
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	


MEMORANDUM ORDER

The complaint filed by Plaintiff Lawrence John Skillen ("Skillen") against the Commissioner of Social Security ("Commissioner") was received by this Court on May 29, 2012, and the matter was referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D.

The Report and Recommendation (ECF No. 15) filed on February 26, 2013, recommended that the Commissioner's Motion for Summary Judgment (ECF No. 13) be denied, that Skillen's Motion for Summary Judgment (ECF No. 8) be granted in part and denied in part, that the Commissioner's final decision be vacated, and that the case be remanded to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration of Skillen's application for disability insurance benefits. Service was made on all counsel of record. The parties were informed that, in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, they had fourteen (14) days to file written objections to the Report and Recommendation. No objections have been filed.

After review of the pleadings and documents in this case, together with the Report and Recommendation, **IT IS HEREBY ORDERED**, this 21 day of March, 2013, that the Commissioner's Motion for Summary Judgment (ECF No. 13) is **DENIED**, that Skillen's Motion for Summary Judgment (ECF No. 8) is **GRANTED IN PART** and **DENIED IN PART**, that the decision of the Commissioner is **VACATED**, and that the case is **REMANDED** to the Commissioner for further consideration of Skillen's application for disability insurance benefits.

IT IS FURTHER ORDERED that the Report and Recommendation of Chief Magistrate Judge Lenihan (ECF No. 15) is adopted as the opinion of the Court.



GARY L. LANCASTER
Chief United States District Judge

cc: All Counsel of Record
Via Electronic Mail